

## **RESOLUTION No. 4/2004**

### **INTERNATIONAL HUMAN RIGHTS LAW AND PRACTICE**

The 71<sup>st</sup> Conference of the International Law Association, held in Berlin, Germany, 16-21 August 2004:

**HAVING CONSIDERED** the final Report on the domestic implementation of findings of human rights treaty bodies of the International Committee on International Human Rights and Practice;

**TAKING NOTE** of the interim Report of the Committee on the subject submitted to the 70<sup>th</sup> Conference held in New Delhi in 2002;

**TAKING ACCOUNT** of the meeting of the Committee held in Turku, Finland, 26-27 September 2003;

**NOTING WITH PLEASURE** that many Members and others, including the Office of the UN High Commissioner for Human Rights, assisted in the preparation of the interim Report and the final Report by providing information and that the papers submitted to the Turku meeting are available on the website of the Institute for Human Rights, Åbo Akademi University;

**THANKS** the Chair, Rapporteurs and Members of the Committee for their work;

**RECOGNISES** that effective use of findings of human rights treaty bodies by domestic as well as international organs will contribute substantially to the realization of human rights;

**ADOPTS** the conclusions contained in the final Report on this subject;

**APPROVES** the recommendations contained in the final Report that:

- (a) the Office of the UN High Commissioner for Human Rights and the Division for the Advancement of Women consider preparation of a Fact Sheet or similar publication which would provide judges, legal practitioners and policymakers with information about how national courts and tribunals have drawn on the jurisprudence of the treaty bodies
- (b) the OHCHR, DAW and other bodies incorporate in training of judges, legal practitioners and policymakers material demonstrating how national courts and tribunals have drawn on the jurisprudence of the treaty bodies
- (c) the treaty bodies, with the secretariat assistance of OHCHR and DAW, specifically request States parties through Lists of Issues and, if necessary, through follow-up oral questioning and Concluding Observations to provide a comprehensive catalogue of cases over the reporting period in which treaty body jurisprudence has been cited in national courts and tribunals (where this has not been provided in State reports)

(d) the OHCHR and DAW prepare a regularly updated list of instances where national courts and tribunals have cited treaty body jurisprudence, drawing on the information supplied through paragraph (c) above, other sources and their own research; and

(e) the Secretary-General of the International Law Association disseminate the interim Report and final Report broadly and explore ways in which they could be brought to the attention of judges and judicial officers and to national human rights institutions.

**REQUESTS** the Secretary-General of the International Law Association to forward a copy of the interim Report and the final Report and of this resolution to the United Nations High Commissioner for Human Rights and the Division for the Advancement of Women.